

MEMORANDUM

JULY 26, 1994

TO: BOSTON REDEVELOPMENT AUTHORITY AND
MARISA LAGO, DIRECTOR

FROM: LINDA MONGELLI HAAR, ASSISTANT DIRECTOR
NEIGHBORHOOD PLANNING AND ZONING

SUBJECT: AMENDMENTS TO THE ZONING CODE: (1) CHECK CASHING
BUSINESSES; (2) TECHNICAL AMENDMENTS

SUMMARY: Request authorization to petition the Zoning Commission: (1) to include a use item for "check cashing business" in the Boston Zoning Code; and (2) to adopt technical amendments relating to container redemption centers.

Check Cashing Businesses

The Zoning Code currently does not include a separate use item for check cashing operations other than banks and automatic teller machines. The proposed amendment would add to the Zoning Code a use item for "check cashing business."

The proposed amendment responds to community concerns about the impacts of check cashing operations in the smaller business districts and in residential districts. Such check-cashing businesses generally conduct a high volume of short transactions, often at late hours and with inadequate parking facilities. Many customers arrive by car, and neighborhood residents have expressed concern about the number of cars regularly double-parking or standing outside such businesses in residential areas and on the smaller commercial streets.

The proposed amendment would classify the new "check cashing business" use as a service use, which requires parking adequate to serve a high volume of customers. The requirement of a conditional use permit in those districts where this use can be accommodated would allow for the mitigation of other impacts as appropriate to each site. Check cashing businesses would not be permitted in residential areas, in the smaller business districts, or in certain other areas where this use is inappropriate to the district.

Technical Amendments

Staff recommends that technical amendments be adopted to clarify the designations for the use item "container redemption center" (established by Text Amendment No. 202, effective September 30, 1993) as follows:

1. Allowed

Local Industrial Subdistricts
Logan International Airport Subdistrict

2. Conditional

Neighborhood Institutional Subdistricts

3. Forbidden

Corridor Enhancement Subdistrict

Appropriate votes follow:

VOTED: That the Director be authorized to petition the Zoning Commission to amend the Zoning Code to include a new use item "check cashing business," together with appropriate regulations for this use item, in substantial accord with the amendment presented to the BRA Board at its meeting of July 26, 1994.

VOTED: That the Director be authorized to petition the Zoning Commission to adopt amendments to the Zoning Code concerning the designation of the use item "container redemption center" in substantial accord with the amendment presented to the BRA Board at its meeting of July 26, 1994.

Text Amendment Application No.
Boston Redevelopment Authority
Container Redemption Centers:
additional amendments

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956 as amended, as follows:

1. By designating "container redemption center" use (as established by Text Amendment No. 202) as follows:
 - a. in **Section 8-7, Table A** (Use Regulations) in **W** (Waterfront) **Districts**, as

+*

with the following footnotes:

- * Except F within fifty (50) feet of a Residential District or Subdistrict, Open Space District or Subdistrict, or Conservation Protection Subdistrict
- + A if a maritime-dependent use; otherwise F

and

- b. in **Article 51** (Allston-Brighton Neighborhood District)
Article 52 (Dorchester Avenue Neighborhood District)
Article 53 (East Boston Neighborhood District)
Article 55 (Jamaica Plain Neighborhood District)

in the appropriate table of use regulations for each such article, as an **allowed** use in **Local Industrial Subdistricts**;

and

- c. In **Article 55** (Jamaica Plain Neighborhood District), in **Table D**, as a **conditional** use in **Neighborhood Institutional Subdistricts**;

and

- d. In **Article 53** (East Boston Neighborhood District), in **Table D**, as a **forbidden** use in the **Corridor Enhancement Subdistrict**, and in **Table E**, as an **allowed** use in the **Logan International Airport Subdistrict**.

Petitioner: Boston Redevelopment Authority

By: Marisa Lago, Director

Address: City Hall / 9th Floor

Boston, MA 02201-1007

Tel No.: 722-4300, ext. 4357

Date: as authorized by BRA Board on

Text Amendment Application No.
Boston Redevelopment Authority
Check Cashing Businesses

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956 as amended, as follows:

1. In **Article 2** (Definitions), Section 2-1, and in **Article 2A** (Neighborhood District Definitions), by inserting the following definition:

"Check Cashing Business," an establishment offering cash in exchange for checks, money orders, or the like, where the transaction involves a fee or an exchange at other than face value and is not principally in payment for the purchase of goods or services. "Check cashing business" does not include a bank or automatic teller machine.

2. In **Section 8-7, Table A** (Use Regulations), by inserting the following use item:

	<u>S</u>	<u>R</u>	<u>H</u>	<u>L</u>	<u>B</u>	<u>M</u>	<u>I</u>	<u>MER</u>
8A Check cashing business	F	F	F	F	C	C	C	+
+ C if a maritime-dependent use; otherwise F								

3. In the following articles:

Article 50 (Roxbury Neighborhood District)

Article 51 (Allston-Brighton Neighborhood District)

Article 52 (Dorchester Avenue Neighborhood District)

Article 53 (East Boston Neighborhood District)

Article 54 (North End Neighborhood District)

Article 55 (Jamaica Plain Neighborhood District)

Article 70 (Beth Israel Hospital Institutional District)

Article 71 (Massachusetts College of Pharmacy Institutional District)

- a. by inserting the use item "check cashing business" in each table of use regulations, under the heading "Service Uses"; and
- b. by designating such new "check cashing business" use as follows:

- (i) As a **conditional** use in each of the following types of subdistricts and districts:

Industrial Development Areas
Logan International Airport Subdistrict
Neighborhood Shopping Subdistricts
Community Commercial Subdistricts
Local Industrial Subdistricts
Institutional Subdistricts
Institutional Districts (Articles 70 and 71)
Midtown Cultural District (Article 38)
Huntington Avenue/Prudential Center District (Article 41)
Chinatown District (Article 43)
Leather District (Article 44)
Government Center/Markets District (Article 45)
Bulfinch Triangle District (Article 46)
Cambridge Street North District (Article 47A)

- (ii) As a **forbidden** use in each of the following types of subdistricts and districts:

Residential Subdistricts
Open Space Subdistricts and Districts
Conservation Protection Subdistricts
Corridor Enhancement Subdistrict
Local Convenience Subdistricts
Community Facilities Subdistricts
Waterfront Community Facilities Subdistricts
Waterfront Commercial Subdistricts
Economic Development Areas
Waterfront Service Subdistricts
Neighborhood Institutional Subdistricts
Waterfront Manufacturing Subdistricts

4. In the following articles, by inserting "check cashing business" as a **conditional** use:

North Station Economic Development Area (Article 39)
South Station Economic Development Area (Article 40)

5. In the following districts, "check cashing business" shall be a forbidden use. (No amendment to the articles governing these districts is required, because uses not listed as allowed or conditional uses in such articles are forbidden in such districts.)

Central Artery Special District (Article 49)

Harborpark District:

- North End/Downtown Waterfront and Dorchester Bay/Neponset River Waterfront (Article 42A)
- Charlestown Waterfront (Article 42B)
- Waterfront Service District (Article 42C)
- Waterfront Manufacturing District (Article 42D)
- Fort Point Waterfront (Article 42E)
- Charlestown Navy Yard (Article 42F)

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